

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/380,731	RET TENMAIER, JOSEF OTTO	
	<b>Examiner</b>	<b>Art Unit</b>	
	John Kim	1723	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/25/03.
2. ☒ The allowed claim(s) is/are 1-14, 36-55 renumbered 1-14, 15-34 respectively.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |                                                                                                                     |                                                                                        |
|---------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)                                                    | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|                                                                                                                     | 9. <input type="checkbox"/> Other _____.                                               |

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1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Keith Townsend on 3/4/04.

The application has been amended as follows:


-Non-elected claims 15-28 and 30 have been canceled.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Kim whose telephone number is (571) 272-1142. The examiner can normally be reached on weekdays from 7:00 AM - 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wanda Walker, can be reached on (571) 272-1151. The fax phone number for official response is (703) 872-9306.

When sending a draft amendment by fax, please mark the paper as "DRAFT"; otherwise, mark the paper "OFFICIAL". This will expedite the processing of the paper.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0651.

  
**John Kim**  
**Primary Examiner**  
**Art Unit 1723**

J. Kim  
March 4, 2004

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CLMPTO

KRW

03/05/2004

1. (Currently Amended) Filter aid which comprises finely divided wood particles which have been subjected to a chemical liquid treatment, and washing and drying, that removes sensorially active substances therefrom, wherein the particles are subjected to a treatment with a dilute alkali solution at a temperature below 100°C and at atmospheric pressure, to a degree sufficient to remove the sensorially active substances from the wood particles and leave the wood particles as wood particles.
2. (Previously Presented) Filter aid according to claim 1, wherein the finely divided wood particles comprise wood fibers.
3. (Previously Presented) Filter aid according to claim 1, wherein the finely divided wood particles comprise wood comminution residues.
4. (Previously Presented) Filter aid according to claim 1, wherein the finely divided wood essentially comprises only wood particles of one and the same type, size distribution and pretreatment.
5. (Previously Presented) Filter aid according to claim 1, wherein the finely divided wood comprises at least two fractions of particles comminuted by different processes.
6. (Previously Presented) Filter aid according to claim 1, wherein the finely divided wood comprises at least two fractions of wood particles comminuted to different dimensions.

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7. (Previously Presented) Filter aid according to claim 1, wherein the finely divided wood comprises fractions of wood particles produced from at least two different starting materials.

8. (Previously Presented) Filter aid according to claim 1, wherein the filter aid comprises other organic or inorganic fractions which do not affect the filtration properties.

9. (Previously Presented) Filter aid according to claim 1, wherein the filter aid comprises at least one other filter-active fraction.

10. (Previously Presented) Filter aid according to claim 1, wherein the filter aid comprises other mineral fractions.

11. (Currently Amended) Filter aid according to claim ~~[[8,]]~~ 9, wherein the at least one other filter-active fraction comprises kieselguhr.

12. (Currently Amended) Filter aid according to claim ~~[[1,]]~~ 9, wherein the at least one other filter active fraction comprises perlite.

13. (Previously Presented) Filter aid according to claim 1, wherein a mean particle dimension of the filter aid is below 3.0 mm.

14. (Previously Presented) Filter aid according to claim 2, wherein a mean fiber diameter of the wood fibers is below 1.0 mm.

15-35. (Cancelled)

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36. (Currently Amended) Filter aid for use in forming a prefloat filter layer for filtration of liquids comprising finely divided wood particles which have been subjected to a chemical liquid treatment, and washing, neutralizing, and drying, that removes sensorially active substances therefrom, wherein the wood particles are subjected to a treatment with a dilute alkali solution at a temperature below 100 °C and at atmospheric pressure, to a degree sufficient to remove the sensorially active substances from the wood particles and leave the wood particles as wood particles.

37. (Previously Presented) Filter aid according to claim 36, wherein a mean particle dimension is below 3.0 mm.

38. (Previously Presented) Filter aid according to claim 1, wherein a lignin content in the wood particles after the treatment, is substantially unchanged with respect to the lignin content in the wood particles before the treatment.

39. (Previously Presented) Filter aid according to claim 1, wherein the wood particles after the treatment remain as loose wood particles with a wood character.

40. (Currently Amended) A filter aid, for use as a beverage filtering prefloat filter layer, comprising:

finely divided lignin-containing wood particles treated with a dilute alkali solution at a temperature below 100°C and at atmospheric pressure, to a degree:

a) sufficient to remove the sensorially active substances from the wood particles,

b) insufficient to quantitatively extract lignin from the wood particles, and

to

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c) leave the wood particles as loose wood particles with a wood character adapted for use as a filter aid to filter a beverage in the beverage filtering prefloat filter layer.

41. ~~(Currently Amended) A beverage filtering prefloat filter layer comprising a filter aid wherein the filter aid comprises comprising:~~

finely divided wood particles which have been subjected to a chemical liquid treatment that removes sensorially active substances therefrom, wherein the wood particles are subjected to a treatment with a dilute alkali solution at a temperature below 100°C and at atmospheric pressure, to a degree

a) sufficient to remove the sensorially active substances from the wood particles,

b) insufficient to quantitatively extract lignin from the wood particles and to

c) leave the wood particles as wood particles[[.]] .

wherein the finely divided wood particles have a moisture content of less than 10% by weight.

42. (New) A filter aid according to claim 1, wherein the dry finely divided wood particles have a moisture content of less than 10% by weight.

43. (New) A filter aid according to claim 1, wherein the finely divided wood particles have a neutral to acid pH.

44. (New) A filter aid according to claim 1, wherein the finely divided wood particles are subjected to neutralization after being subjected to the treatment with the dilute alkali.

45. (New) A filter aid according to claim 1, wherein the finely divided wood particles have a water value ranging from 1010 to 1125.

46. (New) A filter aid according to claim 36, wherein the dry finely divided wood particles have a moisture content of less than 10% by weight.

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47. (New) A filter aid according to claim 38, wherein the finely divided wood particles have a water value ranging from 1010 to 1125.

48. (New) A filter aid according to claim 40, wherein the wood particles are subject to drying after being subjected to the treatment with the dilute alkali.

49. (New) A filter aid according to claim 48, wherein the dry wood particles have a moisture content of less than 10% by weight.

50. (New) A filter aid according to claim 40, wherein the wood particles have a neutral to acid pH.

51. (New) A filter aid according to claim 40, wherein the finely divided wood particles are subjected to neutralization after being subjected to the treatment with the dilute alkali.

52. (New) A filter aid according to claim 51, wherein the finely divided wood particles are dried after being subjected to the treatment with the dilute alkali.

53. (New) A filter aid according to claim 40, wherein the finely divided wood particles have a water value ranging from 1010 to 1125.

54. (New) A filter aid according to claim 41, wherein the finely divided wood particles have a water value ranging from 1010 to 1125.

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55. (New) A filter aid arrangement comprising:  
a beverage; and, in contact therewith,  
a filter aid for filtering the beverage, comprising finely divided wood particles  
which have been subjected to a chemical liquid treatment that removes sensorially  
active substances therefrom, wherein the particles are subjected to a treatment with a  
dilute alkali solution at a temperature below 100°C and at atmospheric pressure, to a  
  
degree sufficient to remove the sensorially active substances from the wood particles  
and leave the wood particles as wood particles.